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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,776	11/09/2000	George J. Candella	FRA175/189535	5507

7590 06/20/2003
Wolf Block Schorr & Solis-Cohen LLP
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*confirmed
this will
not be
a response*

EXAMINER

ELISCA, PIERRE E

ART UNIT PAPER NUMBER

3621

DATE MAILED: 06/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/710,776

Applicant(s)
George J. Candella et al.

Examiner
Pierre E. Elisca

Art Unit
3621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/09/2000
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Examiner Pierre Eddy Elisca

United States Department of Commerce

Patent and Trademark Office

Washington, D.C. 20231

DETAILED ACTION

1. This Office action is in response to Application No. 09/710,776, filed on 11/09/2000.
2. Claims 1-32 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Rejection under 35 U.S.C. 102 (e), Patent Application Publication or Patent to Another with Earlier Filing Date, in view of the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002.

(e) the invention was described in (1) an application for patent, published under section 122 (b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

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granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

4. Claims 1-32 are rejected under 35 U.S.C. 102 (e) as being anticipated by Tetro et al. (U.S. Pat. No. 6,122,624).

As per claims 1, 14-16, 24-27, and 31 Tetro discloses a method/system for enhanced fraud detection in electronic purchase transactions from a remote site (which is readable as Applicant's claimed invention wherein it is stated that a method for detecting fraud non-personal transactions), comprising the steps of:

transmitting the purchaser's data to a fraud-detection system, the purchaser's data including a ship-to address for the transaction (see., abstract, specifically wherein it is stated that an electronic purchase is prompted to input the user's billing address and social security number, col 5, lines 47-59, the enhanced fraud detection system 10);

processing the purchaser's data to determine whether the transaction is potentially fraudulent (see., abstract, specifically wherein it is stated that a determination is made whether the account associated with the social security number has been authorized for use, col 2, lines 39-61, please note that the

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process of matching the user's billing address and social security number is equivalent to the step of determining for potential fraud);

returning the relative risk of fraudulent activity associated with the transaction (see., abstract, col 2, lines 49-67, specifically wherein it is stated that if the social security number falls into any of these categories, then authorization for the purchase is refused).

As per claims 2-6, 12, 18-22, 28, 30 Tetro discloses the claimed method wherein the processing step comprising parsing out the purchaser's ship-to address (see., abstract, col 39-61, specifically wherein it is stated that inputting the user's address).

As per claim 7, Tetro discloses the claimed method wherein the ship-to address checking step comprises checking the area code of the purchaser's phone number to determine if fits the geographic area of the ship-to address (see., abstract, col 39-61).

As per claims 8-11, 13, 23, 28, 29, Tetro discloses the claimed method wherein the ship-to address checking step comprises comparing the purchaser's ship-to address against the national of address service database or the publisher's change of address database (see., col 5, lines 61-67, col 6, lines 1-42, figs 2, 4, and 5, item 500).

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As per claims 17, and 32 Tetro discloses the claimed method wherein the step of calculating comprising a score based at least in part upon the likelihood that the transaction is fraudulent (see., col 5, lines 47-60 , please note that the step of calculating a score is equivalent a threshold check).

CLAIM OBJECTION

5. Claim 1 is objected to because of the following informality. Claim 1, line 1, Applicant is advised to remove the word "is" and replace it by --in--. Appropriate correction is required.

Conclusion

6. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

(703) 305-7687

Serial Number: 09/710,776

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Pierre Eddy Elisca

Patent Examiner

June 18, 2003